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Amendment A

REMARKS

Responsive to the Office Action mailed May 4, 2005, Applicants provide the following. Claims 1, 2, 3, 8, 10, 11, 12, 14, 17, 19, 21, 22, 23, 25, 28, 30, 33, 34, 36, 39, 40, 41, 46, 47, 48, 56, 58, 61, 63, 67, 70, 72, 75, 76, 80 and 82 have been amended without adding new matter. Claims 86-93 have been added without adding new matter. Claims 13, 24, 35, 60, 69, and 79 have been canceled without prejudice. Eighty-seven (87) claims remain pending in the application: Claims 1-12, 14-23, 25-34, 36-59, 61-68, 70-78, and 80-93. Fees are included for additional claims added herein. Additionally, Applicants note that this response is timely filed with a three-month extension of time. Reconsideration of claims 1-12, 14-23, 25-34, 36-59, 61-68, 70-78, and 80-85 in view of the amendments above and remarks below and consideration of new claims 86-93 is respectfully requested.

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

Specification

1. The specification is objected to due an informality in paragraph [0026] of the published application (i.e., the paragraph beginning at page 5, line 16 of the as filed specification) is an informality. Applicants hereby amend paragraph [0026] to more clearly describe that which is shown in FIG. 1B; thus, it is respectfully submitted that the objection is overcome and should be withdrawn.

Claim Objections

2. Claim 75 stands objected to for being improperly dependent upon claim 76. Applicants hereby amend claim 75 to depend from claim 73; thus, it is respectfully submitted that the objection is overcome and should be withdrawn.

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Claim Rejections - 35 U.S.C. §112

3. Claims 10, 11, 19, 30, and 41-57 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Specifically, claim 47 stands rejected because, while the specification discloses “a decryption unit configured to decrypt ... [a] message,” the specification does not disclose “a decryption unit configured to unencrypt the message” as recited in claim 47. Applicants respectfully submit that the specification reasonably conveys to one skilled in the art that the inventors had possession of the claimed invention at the time the application was filed. Nevertheless, Applicants hereby amend claim 47 to read more consistently with terminology used in the specification (i.e., that the decryption unit “decrypt” the received message); thus, it is respectfully submitted that the rejection is overcome and should be withdrawn.

Claims 10, 19, 30, and 41 stand rejected because, while the specification discloses wherein “the system can receive the peripheral device encryption key,” the specification allegedly does not disclose “a method for receiving the peripheral device encryption key from human input.” Applicants respectfully disagree and at least point to page 11, lines 10-25 and FIG. 5 of the specification as filed. Nevertheless, Applicants hereby amend claims 10, 19, 30, and 41 to read more consistently with terminology used in the specification (i.e., that the encryption key is received by a host device via input by a user); thus, it is respectfully submitted that the rejection is overcome and should be withdrawn.

Claim Rejections - 35 U.S.C. §102

4. Claims 1-85 stand rejected under 35 U.S.C. § 102(e), as being anticipated by U.S. Patent Application Pub. No. 2002/0141591 (Hawkes et al.). This rejection is respectfully traversed and reconsideration is requested.

As set forth at M.P.E.P. § 2131, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

Regarding independent claim 1, Applicants respectfully submit that Hawkes et al. fail to disclose, either expressly or inherently, a radio (e.g., BS 204) that transmits a message containing

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a first encryption key that is encrypted with a second encryption key over a wireless network that is also configured to receive a subsequent message over the wireless network, the subsequent message encrypted with the first encryption key, as is now recited in amended claim 1. Claim 1 has been amended to recite a limitation similar to that found in dependent claim 2. Such amendment is supported at least by claim 2 and FIGS. 2, 3, 5 and 6 and their supporting text.

In contrast, Hawkes et al. disclose a method of encrypting broadcast (i.e., unidirectional) communications in which the receiving devices (e.g., the MSs 206 containing UIMs 308/SUMUs 314) do not transmit any subsequent encrypted messages back to the broadcasting device (e.g., the CS 201 and the BS 204). The purpose of Hawkes et al. is to securely provide subscription-based high-speed broadcast services (such as movies, sports events, etc.) to subscribing mobile cellular devices. Hawkes et al. use their encryption method to protect the content broadcast from the content server CS. Generally, it appears as though a registration key (RK) that is unique to the UIM of an MS is provided to both the CS and MS. The CS encrypts a message using the RK that is sent to the MS, the message containing information to compute a broadcast access key (BAK). The CS then encrypts a message using the BAK that is sent to the MS, the message containing information to compute a short-term key (SK). Then, the CS sends the broadcast content in broadcast messages encrypted with the SK. There is no description or suggestion that there be any subsequent messages from the receiving devices (MS) back to the BS or CS, let alone no description or suggestion to encrypt any such subsequent message with an encryption key that was sent in a previous encrypted communication. In any event, there would be no need to encrypt any communications (if present) from the MS to the CS, since the MS does not provide any subscription-based content back to the CS.

Thus, since Hawkes et al. do not disclose, either expressly or inherently, or even suggest that now recited in claim 1, Hawkes et al. do not anticipate claim 1 nor would Hawkes et al. render claim 1 obvious. Thus, it is respectfully submitted that the rejection of claim 1 and its various dependent claims is overcome and should be withdrawn.

Regarding independent claims 12, 23 and 34, these claims have been amended to include a limitation similar to that found in dependent claims 13, 24 and 35. Accordingly, as noted

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above, Hawkes et al. do not expressly or inherently disclose or suggest receiving any encrypted subsequent messages back to the transmitting device (e.g., the CS/BS) from the receiving device (e.g., the MSs). Thus, Hawkes et al. do not expressly or inherently disclose or suggest receiving the second encryption key at a module, transmitting the aforementioned message from the module, and receiving a subsequent message at the module, wherein the subsequent message is encrypted with the first encryption key, as variously recited in amended claims 12, 23 and 34. Thus, it is respectfully submitted that the rejection of claims 12, 23 and 34 and their various dependent claims is overcome and should be withdrawn.

Regarding independent claim 47, claim 47 has similarly been amended to recite that the radio is configured to receive a message over a wireless network from a host and to transmit a subsequent message over the wireless network, the received message encoded with the first encryption key and containing a second encryption key, the subsequent message encrypted with the second encryption key. As described above, Hawkes et al. do not expressly or inherently disclose or suggest receiving devices that receive encrypted messages containing an encryption key and that transmit subsequent messages using the decrypted encryption key back to the transmitting device. Thus, it is respectfully submitted the rejection of claim 47 and its various dependent claims is overcome and should be withdrawn.

Regarding independent claims 58, 67 and 76, these claims have similarly been amended to variously recite that the received message from the host is encrypted by the first encryption key and contains the second encryption key, and that messages encrypted using the second encryption key are then sent back to the host over a wireless network from a host. Again, as described above, Hawkes et al. do not expressly or inherently disclose or suggest receiving devices that receive encrypted messages containing an encryption key and that transmit messages using the decrypted encryption key back to the transmitting device. Thus, it is respectfully submitted the rejection of claims 58, 67 and 76 and their various dependent claims is overcome and should be withdrawn.

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It has been shown above that Hawkes et al. do not expressly or inherently disclose or suggest that recited in claims 1-85; thus, Hawkes et al. do not anticipate claim 1-85 nor would Hawkes et al. render claims 1-85 obvious. Thus, Applicants respectfully submit that the rejection of claim 1-85 is overcome and should be withdrawn.

New Claims

11. Newly submitted claims 86-93 are believed to be allowable because they are directed to that which is not shown or suggested in the prior art.

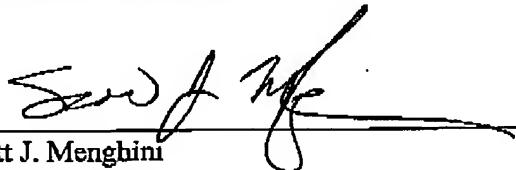
Support for new claims 86-93 can be found at least at page 13, lines 18-21 and at page 14, lines 15-19.

CONCLUSION

Applicants submit that the above amendments and remarks place the pending claims in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested.

Respectfully submitted,

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